

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

PENNY J. GRAPE,

Defendant.

CASE NO. 8:04CR103

ORDER

This matter is before the Court on the Judgment entered by the United States Court of Appeals for the Eighth Circuit (Filing No. 88), remanding this matter for resentencing.

IT IS ORDERED:

1. A resentencing hearing is scheduled before the undersigned United States District Judge on **September 12, 2005, at 2:30 p.m.** in Courtroom No. 2, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska;
2. Counsel for the Defendant, if previously appointed pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, et seq., is reappointed to represent the Defendant for purposes of resentencing. If retained, counsel for the Defendant remains as counsel for the Defendant until the conclusion of the resentencing or until given leave to withdraw;
3. The United States Marshal for this District is directed to return the Defendant to this district and produce the Defendant for the resentencing hearing; and
4. The Clerk's Office shall provide the United States Marshal a certified copy of this order.

DATED this 26th day of July, 2005.

BY THE COURT:

s/ Laurie Smith Camp
United States District Judge